

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

BOBBY WALKER, JR.

PLAINTIFF

v.

CAUSE NO. 1:23-cv-00015-LG-BWR

ROBERT P. KREBS, et al.

DEFENDANTS

FINAL JUDGMENT

In accordance with the Court's Order issued this date and incorporated herein by reference,

IT IS THEREFORE ORDERED AND ADJUDGED that this civil action is **DISMISSED WITH PREJUDICE**. Plaintiff Bobby Walker, Jr.'s claims, except his claim that Judge Robert P. Krebs miscalculated the length of his sentence, are malicious under 28 U.S.C. § 1915(e)(2)(B)(i). Walker's remaining claim about the length of his sentence is barred by *Heck v. Humphrey* and is both frivolous and fails to state a claim under § 1915(e)(2)(B)(i)-(ii). The dismissal of his *Heck*-barred claim is effective until the *Heck* conditions are met. *See Johnson v. McElveen*, 101 F.3d 423, 424 (5th Cir. 1996).

IT IS FURTHER ORDERED AND ADJUDGED that this dismissal counts as a "strike" under 28 U.S.C. § 1915(g). Walker is advised that, if he receives three strikes, "he may not proceed in forma pauperis in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury." *Garcia v. Glenn*, 839 F. App'x 927, 928 (5th Cir. 2021) (citing 28 U.S.C. § 1915(g)).

SO ORDERED AND ADJUDGED this the 20th day of February, 2024.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.

UNITED STATES DISTRICT JUDGE